

REMARKS

In response to the outstanding Office Action mailed July 31, 2006, responsive to the rejections under 35 U.S.C. 102(e) and 35 U.S.C. 103(a), Applicant notes the following.

Claim 6 is rejected under 35 U.S.C. 102(e) as being anticipated by Doi et al. Doi et al. discloses that by controlling downlink transmission power (which is power at the time of transmitting from a base station to a user terminal station) at the base station, interference with another base station is reduced (paragraph 0179).

On the other hand, the invention as defined in claim 6 of the present application, as amended, does not control the downlink transmission power. Instead it controls uplink transmission power (which is power at the time of transmitting from a terminal station to a base station). As thus described, the present invention and Doi are completely different from each other in terms of the controlled object. In addition, according to Doi, it is only described that interference is reduced as a result, and it is not described that the interference wave power is positively estimated is set forth as amended in Claim 6.

Moreover, the present invention, in order to improve the transmission quality of the entire communication system including a plurality of base stations, obtains the sum of the interference wave power estimated respectively of a plurality of base stations, and determines a wave and a transmission power to minimize the sum. Such limitations are not described by Doi et al.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable by Doi et al. in view of Kasami. In this connection, the Examiner notes that Doi et al. does not disclose an extensive control station as required by Claim 8. However, since Claim 8 depends on Claim 6, and incorporates the limitation thereof, and since Kasami does not provide the elements missing from Doi et al. as explained above referenced to Claim 6, Applicant submits that Claim 8 is also patentably distinguishable over the prior art of record.

In view of the foregoing, since Claims 1-5, 7, 9 and 10 have been allowed, it is submitted that Claims 1-10 are in condition for allowance and such action is solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: 10/30/06, 2006

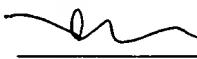
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